

## ARTICLE 51

### SEC. 21-51 MAJOR USE PERMIT.

**51.1 Major use permit:** Major use permits revocable, conditional and/or valid for a term period may be issued for any of the uses or purposes for which such permits are required or permitted by the terms of this Chapter. The Board of Supervisors or Planning Commission may impose such conditions as they deem necessary to secure the purposes of this Chapter and may require tangible guarantees or evidence that such conditions are being, or will be, complied with.

**51.2 Application:** Application for a major use permit shall be made in writing by the owner of the property; or lessee, purchaser in escrow or optionee with the written consent of the owner; or by a public utility company or other agency with the powers of eminent domain, on a form prescribed by the Planning Department. The application shall be accompanied by a fee in an amount to be set by the Board of Supervisors, and plans showing the details of the proposed use to be made of the land or building, and any other pertinent information required by the Planning Department as provided in Article 55. **(Ord. No. 1749, 7/7/1988)**

### **51.3 Public hearing and notice:**

- (a) A public hearing shall be held on any application for a major use permit.
- (b) The Review Authority for major use permits shall be the Planning Commission.
- (c) Notice of any public hearing shall be given as provided in [Section 57.3](#).

### **51.4 Findings required for approval:**

- (a) The Review Authority may only approve or conditionally approve a major use permit if all of the following findings are made:
  - 1. That the establishment, maintenance, or operation of the use applied for will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use, or be detrimental to property and improvements in the neighborhood or the general welfare of the County.
  - 2. That the site for the project is adequate in size, shape, location, and physical characteristics to accommodate the type of use and level of development proposed.
  - 3. That the streets, highways and pedestrian facilities are reasonably adequate to safely accommodate the specific proposed use. **(Ord. No. 2128, 1/14/1993)**

4. That there are adequate public or private services, including but not limited to fire protection, water supply, sewage disposal, and police protection to serve the project. **(Ord. No. 1749, 7/7/1988)**
5. That the project is in conformance with the applicable provisions and policies of this Code, the General Plan and any approved zoning or land use plan.
6. That no violation of Chapters 5, 17, 21, 23 or 26 of the Lake County Code currently exists on the property, unless the purpose of the permit is to correct the violation, or the permit relates to a portion of the property which is sufficiently separate and apart from the portion of the property in violation so as not to be affected by the violation from a public health, safety or general welfare basis. **(Ord. No. 2128, 1/14/1993)**

**51.5 Permit issuance and appeal period:** Major use permits shall not be issued until seven (7) calendar days have elapsed from the granting thereof, and in case an appeal is filed from the Planning Commission decision thereon shall not be issued until a decision has been made by the Board of Supervisors on such appeal. Major use permits shall not have any force and effect until the permittee acknowledges receipt thereof and agrees in writing to each and every term and condition thereof.

**51.6 Appeals:** A decision of the Planning Commission on a major use permit application may be appealed to the Board of Supervisors in accordance with the provisions of [Section 58.30](#) et seq. of this Chapter.

**51.7 Reapplication:** Reapplication for denied major use permits shall be as provided in [Article 60](#).

**51.8 Expiration:** All major use permits shall have an expiration period(s) as provided in [Article 60](#).

**51.9 Revocation and Modification:** Major use permits may be revoked or modified as provided in [Article 60](#).